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#FO2342916

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P- Correspondence from the Los Angeles City Attorney and Detective Sampedro's supplemental report

MISCELLANEOUS DOCUMENTS

Inmate Assault Load Sheet
Internal Affairs Bureau Mandatory Notification Form
Chief's Memorandum authored by Captain Clay Porlier, dated October 11, 2013

Twin Towers Correctional Facility Daily Recap dated October 11, 2013
Uniform Daily Activity Log for Housing Location TTCF T171
Chief's Memorandum authored by Captain Alicia Ault, dated October 15, 2013
Criminal History of Inmate Yaw
Admonishment Forms

Los Angeles County Sheriff's Department

Supervisor's Report on Use of Force

Incident Information

URN: 913-03453-5800-145	Date: 10/11/13		Time: 0932 hrs.
Location: 450 Bauchet Street		City or Station: Los Angeles	
Bureau/Station/Facility: Twin Towers Correctional Facility		Admin. Investigation: ◯ YES ◉ NO	
Type of Force: Take Down , Control Holds, Hobble Application			
Incident Category : ◯ 1 ◯ 2 ◉ 3	Deputy Injury : ◯ YES ◉ NO	Suspect Injury ◉ YES ◯ NO	
☐ Call ☐ Observation ☒ Detail		☐ Foot Pursuit	☐ Vehicle Pursuit
IAB Notified: ◉ YES ◯ NO	Person Notified: Lt. Todd Weber	Emp: [redacted]	IAB Roll Out ◉ YES ◯ NO

Involved Employee

E 1

Employee #: [redacted]	Last Name: [redacted]		First Name: [redacted]		Middle I.: [redacted]	Rank: DSG
Sex: ◉ M ◯ F	Race: W	Height: 605	Weight: 200	Age: [redacted]	Shift: ◯ EM ◉ Day ◯ PM	◉ Regular Shift ◯ OT Shift ◯ Off Duty
Unit of Assignment: Twin Towers Correctional Facility			Work Assignment (Unit #, Module, etc.): 171F3			
Individual Force Used: Control Holds			◯ Directed ◯ Rescue ◯ Medical Assist		Individual Category: ◉ 1 ◯ 2 ◯ 3	
☐ Injured ☐ Treated ☐ Admitted	Facility:				Coroner Case #:	

E 2

Employee #: [redacted]	Last Name: [redacted]		First Name: [redacted]		Middle I.: [redacted]	Rank: C.A.
Sex: ◯ M ◉ F	Race: W	Height: 508	Weight: 135	Age: [redacted]	Shift: ◯ EM ◉ Day ◯ PM	◉ Regular Shift ◯ OT Shift ◯ Off Duty
Unit of Assignment: Twin Towers Correctional Facility			Work Assignment (Unit #, Module, etc.): 171A/2 Title 15			
Individual Force Used: Control Holds, Hobble Application			◯ Directed ◯ Rescue ◯ Medical Assist		Individual Category: ◉ 1 ◯ 2 ◯ 3	
☐ Injured ☐ Treated ☐ Admitted	Facility:				Coroner Case #:	

E 3

Employee #: [redacted]	Last Name: Serrano		First Name: Christopher		Middle I.: S.	Rank: C.A.
Sex: ◉ M ◯ F	Race: H	Height: 505	Weight: 192	Age: [redacted]	Shift: ◯ EM ◉ Day ◯ PM	◉ Regular Shift ◯ OT Shift ◯ Off Duty
Unit of Assignment: South Los Angeles Station			Work Assignment (Unit #, Module, etc.): Unit #31B			
Individual Force Used: Control Holds, Take Down			◯ Directed ◯ Rescue ◯ Medical Assist		Individual Category: ◯ 1 ◯ 2 ◉ 3	
☐ Injured ☐ Treated ☐ Admitted	Facility:				Coroner Case #:	

On Duty Supervisor

☐ Additional Involved Employees

Emp #:	Last Name	First Name	Middle I.	Rank	Present	Witness to Incident
[redacted]	Rubacha	Michael	NMN	SGT.	YES ◯ NO ◉	YES ◯ NO ◉

Supervisor Completing Investigation

Emp #:	Last Name	First Name	Middle I.	Rank	Present	Witness to Incident
[redacted]	Ingreso	Romeo	F.	SGT.	YES ◯ NO ◉	YES ◯ NO ◉

Watch Commander / Supervising Lieutenant

Emp #:	Last Name	First Name	Middle I.	Rank
[redacted]	Reid	Thomas	P.	Lt.

Watch Commander / Supervising Lieutenant's **Signature:** ____ Date ____ Copy Provided to Employee by: ____ Emp #: [redacted]

Captain John Benedict

Unit Commander **(Print Name)** ____ Unit Commander's **Signature**: ____ Emp #: ____ Date

DISCOVERY Use Only

FO#

☐ PPI REVIEW COMPLETED

Original: Discovery Unit
Copy: Unit Commander

SH-R-438P (Rev. 01/13)

Supervisor's Report on Use of Force
SUSPECT INFORMATION

913 - 03453 - 5800 - 145

Suspect Information

S 1

Last Name: Yaw | First Name: Alexander | Middle Name: Joseph | Armed? Select: Not Armed

AKA Last Name: | First Name: | Middle Name:

Sex: (●) Male ( ) Female | Race: H | Age: 22 | Height: 506 | Weight 130 | D.O.B: 08-29-82 | Phone #1: ( ) H ( ) W ( ) C [redacted] | Phone #2: ( ) H ( ) W ( ) C [redacted]

Street Address: [redacted] | City: [redacted] | State & Zip Code: [redacted]

Booking #: 3606261 | Primary Charge Code: 243(b) P.C. | Secondary Charge Code: | [redacted] Criminal History

Treated on Scene? (●) YES ( ) NO | Name: Clinic Staff TTCF | Unit: TTCF | Phone #: 213-893-5163

Hospital Admission? ☐ | Rec'd Treatment At: LCMC | Coroner Case #: N/A | Mental History [redacted] ser's guide provides rection on this entry

By: R.N.P. Ike | Address: TTCF | Phone #:

Under Influence: ( ) YES (●) NO | Substance: Other/Unknown | 5150 a factor in force? (●) YES ( ) NO User's guide provides direction on this entry

Suspect Interview

Date: 10-14-13 | Time: 1335 | ☐ Audiotape: | ☒ Videotape: | ☒ Photos of Injuries: | ☐ ADMITS HEARING ANNOUNCEMENTS

Suspect Information

S__

Last Name: | First Name: | Middle Name: | Armed? Select:

AKA Last Name: | First Name: | Middle Name:

Sex: ( ) Male ( ) Female | Race: | Age: | Height: | D.O.B. | Weight: | Phone #1: ( ) H ( ) W ( ) C | Phone #2: ( ) H ( ) W ( ) C

Street Address: | City: | State & Zip Code:

Booking #: | Primary Charge Code: | Secondary Charge Code: | ☐ Criminal History

Treated on Scene? ( ) YES ( ) NO | By: | Unit: | Phone #:

Hospital Admission? ☐ | Rec'd Treatment At: | Coroner Case #: | Mental History ☐ User's guide provides direction on this entry

By: | Address: | Phone #:

Under Influence: ( ) YES ( ) NO | Substance: | 5150 a factor in force? ( ) YES ( ) NO User's guide provides direction on this entry

Suspect Interview

Date: | Time: | ☐ Audiotape: | ☐ Videotape: | ☐ Photos of Injuries: | ☐ ADMITS HEARING ANNOUNCEMENTS

Suspect Information

S__

Last Name: | First Name: | Middle Name: | Armed? Select:

AKA Last Name: | First Name: | Middle Name:

Sex: ( ) Male ( ) Female | Race: | Age: | Height: | D.O.B. | Weight: | Phone #1: ( ) H ( ) W ( ) C | Phone #2: ( ) H ( ) W ( ) C

Street Address: | City: | State & Zip Code:

Booking #: | Primary Charge Code: | Secondary Charge Code: | ☐ Criminal History

Treated on Scene? ( ) YES ( ) NO | By: | Unit: | Phone #:

Hospital Admission? ☐ | Rec'd Treatment At: | Coroner Case #: | Mental History ☐ User's guide provides direction on this entry

By: | Address: | Phone #:

Under Influence: ( ) YES ( ) NO | Substance: | 5150 a factor in force? ( ) YES ( ) NO User's guide provides direction on this entry

Suspect Interview

Date: | Time: | ☐ Audiotape: | ☐ Videotape: | ☐ Photos of Injuries: | ☐ ADMITS HEARING ANNOUNCEMENTS

☐ **Additional Suspects Involved**

Supervisor's Report on Use of Force

9 [illegible] 3 - 0 3 4 5 3 - 5 8 0 0 - 1 [illegible] 5

Method

(AW) Arwen
(BC) Baton: (Control)
(BI) Baton: (Impact)
(BF) Bodily Fluids
(CN) Canine
(CR) Carotid Restraint
(CH) Choke Hold
(CT) Control Holds: (Control Techniques)
(TT) Control Holds: (Team Takedown)
(TD) Control Holds: (Takedown)
(CE) Chemical
(OC) Chemical Agents (OC Spray)
(TG) Chemical Agents (Tear Gas)
(EX) Explosives
(FH) Firearm (Handgun)
(FR) Firearm (Rifle)
(FS) Firearm (Shotgun)
(FO) Firearm (Other)
(FB) Flashbang
(FL) Flashlight
(OE) Other Weapon: Edged
(OV) Other Weapon: Vehicle
(OB) Other Weapon: Blunt Object
(OO) Other Weapon: Other
(PK) Personal Weapon: Feet/Leg: (Kick)
(PS) Personal Weapon: Feet/Leg: (Sweep)
(PH) Personal Weapon (Hand/Arm)
(PP) Personal Weapon (Push)
(PO) Personal Weapon (Other)
(RS) Resistance
(RO) Restraint Device (Other)
(RH) Restraint Device (Handcuffs)
(HB) Restraint Device: Hobble (Legs Only)
(TP) Restraint Device: Hobble (TARP)
(RE) Restraint Device: REACT Belt
(SP) Sap
(SH) Shield
(IR) Less Lethal Impact Round (other)
(SB) Sting Ball
(ST) Stun Bag
(TR) Taser
(UC) Uncooperative
(HR) High Risk

Type of Injury

(AB) Abrasion
(BR) Bruise
(BU) Burn
(CP) Complaint of Pain
(CO) Concussion
(DH) Death
(DI) Dislocation
(DB) Dog Bite
(FR) Fractures
(GS) Gunshot
(HB) Human Bite
(LC) Lacerations
(ND) Nerve Damage
(OD) Organ Damage
(PA) Paralysis
(PW) Puncture Wound
(SD) Soft Tissue Damage
(ST) Sprain/Twists
(UN) Unconscious
(RM) Refused Med Treatment
(NN) NONE

Body Part Involved

(AD) Abdomen
(AK) Ankle
(AR) Arm
(BK) Back
(BT) Buttocks
(CH) Chest
(EL) Elbow
(FA) Face
(FE) Feet
(FI) Fingers
(GE) Genitals
(GR) Groin
(HD) Hands
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(NO) Nose
(SH) Shoulder
(WR) Wrist

FORCE USED BY		FORCE USED AGAINST		Method (Code)	Type of Injury (Code)	Body Part (Code)
Name	E# or S#	Name	E# or S#			
Yaw, Alexander	S#1	Serrano, Christopher	E#3	PK	NN	LE
Serrano, Christopher	E#3	Yaw, Alexander	S#1	TD	FR	KN
[redacted]	E#2	Yaw, Alexander	S#1	CT	NN	LE
[redacted]	E#1	Yaw, Alexander	S#1	CT	NN	SH
Serrano, Christpoher	E#3	Yaw, Alexander	S#1	TD	AB	FA

COUNTY OF LOS ANGELES
SHERIFF'S DEPARTMENT

INVESTIGATIVE SUMMARY
CATEGORY III USE OF FORCE
(FRACTURED KNEE)

UNIT:	Twin Towers Correctional Facility
DATE:	Friday, October 11, 2013
TIME:	Approximately 0930 hours
LOCATION:	Twin Towers Correctional Facility Module 171 D-Pod
URN#:	913-03453-5800-145
IAB#:	FO2342916

NATURE OF INCIDENT:

On-call Internal Affairs Bureau personnel assumed responsibility for completion of a force investigation after Suspect Alexander Yaw (an inmate housed at Twin Towers Correctional Facility) sustained a fractured knee during a use of force on October 11, 2013.

SYNOPSIS OF INCIDENT:

On October 11, 2013, at approximately 0930 hours, Inmate Yaw was seated at a multi-seat table inside the Module 171 C-pod dayroom. Inmate was classified as a high observation inmate who was mentally ill. Inmate Yaw was seated at the multi-seat table attending group therapy. Due to his status as a mentally ill inmate, one of his hands was handcuffed to a chain that was secured to the table. This prevented him from leaving the table and required either custody assistant or sworn personnel to escort him away from the table.

Inmate Yaw told Custody Assistant [redacted] he wished to return to his cell, who then asked Custody Assistant Serrano to assist her. Both custody assistants approached Inmate Yaw as he was seated at the table. As a precautionary measure, Custody Assistant Serrano held Inmate Yaw's head against the table, while Custody Assistant [redacted] began removing the handcuff that secured the inmate to the table. Custody Assistant Serrano performed this precautionary measure because Inmate Yaw had a history of spitting at staff. Both of Inmate Yaw's hands were handcuffed behind his back, the chain securing him to the table was removed without incident and Custody Assistants [redacted] and Serrano began escorting him to his cell. Inmate Yaw had not displayed any recalcitrant or violent behavior as he was removed from the table.

When they entered the D-pod through the lower interconnecting door, Inmate Yaw suddenly thrashed his upper body about and attempted to head-butt Custody Assistant [redacted] Inmate Yaw kicked Custody Assistant Serrano's right leg and violently tried to

free himself from the grasp of both Custody Assistants. Custody Assistant Serrano told Custody Assistant [redacted] to broadcast the altercation over her handheld radio as he forced Inmate Yaw to the floor. Inmate Yaw struck his face against the floor as he was taken down by Custody Assistant Serrano. Once on the floor, both custody assistants held inmate Yaw down using their body weight. Inmate Yaw stopped resisting and remained on the floor, face down. Deputy [redacted] who witnessed Inmate Yaw's violent attack on the custody assistants, was now on-scene and helped maintain control of Inmate Yaw by using his body weight. Custody Assistant [redacted] broadcasted the incident over her radio and then placed a "hobble restraint" around Inmate Yaw's ankles. Deputy [redacted] realizing Inmate Yaw had a history of spitting on staff, placed a "spit mask" over the inmate's head as an officer safety measure. Medical personnel were immediately summoned to the scene and began providing medical aid to Inmate Yaw.

Inmate Yaw sustained swelling to his left eye and forehead area and an abrasion to his right knee. Inmate Yaw was placed onto a gurney and transported to the Tower 1 Clinic for additional treatment. Inmate Yaw was later transported to the Los Angeles County Medical Center via ambulance where his right knee was x-rayed. Lieutenant Flores, of the Internal Affairs Bureau, was notified of the use of force at the time of occurrence.

On October 14, 2013, Lieutenant Thomas Reid, assigned to the Twin Towers Correctional Facility, conducted a Watch Commander interview of Inmate Yaw, who had returned to the Twin Towers Correctional Facility. During the interview, Lieutenant Reid learned Inmate Yaw was diagnosed with a fractured right knee as a result of the use of force occurring on October 11, 2013. Lieutenant Reid contacted Lieutenant Weber and informed him of Inmate Yaw's diagnosis.

On the afternoon of October 14, 2013, Sergeant Romeo Ingreso and Lieutenant Weber responded to the Twin Towers Correctional Facility and assumed control of the use of force investigation.

INVOLVED PERSONNEL:

Serrano, Christopher – Custody Assistant, #[redacted]
Twin Towers Correctional Facility
Custody Services Division Specialized Programs

Date of Employment: 03-27-2008
Date Assigned to TTCF: 05-25-2008
Prior Shooting Incident(s): [redacted]
Prior Founded Force Incidents: [redacted]

[redacted] – Custody Assistant, #[redacted]
Twin Towers Correctional Facility
Custody Services Division Specialized Programs

Date of Employment: [redacted]
Date Assigned to TTCF: [redacted]
Prior Shooting Incident(s): [redacted]
Prior Founded Force Incidents: [redacted]

[redacted] - Deputy, #[redacted]
Twin Towers Correctional Facility
Custody Services Division Specialized Programs

Date of Employment: [redacted]
Date Assigned to TTCF: [redacted]
Prior Shooting Incident(s): [redacted]
Prior Founded Force Incidents: [redacted]

SWORN WITNESSES:

No sworn witnesses to this incident were identified.

INVOLVED SUSPECT:

Yaw, Alexander Joseph Male Hispanic Booking #3606261
DOB: 08/29/1982
Housed at the Twin Towers Correctional Facility at time of incident.
Original Booking Charges: [redacted]
[redacted] CII #[redacted]

Criminal History: [redacted]

NON DEPARTMENT WITNESS STATEMENTS:

No civilian witnesses to this incident were identified. On October 14, 2014, Sergeant Romeo Ingreso spoke with Lieutenant Thomas Reid about identifying possible inmate and civilian witnesses to the use of force. Lieutenant Reid informed Sergeant Ingreso the inmates which were housed inside the module on October 11, 2013, during dayshift hours were extremely mentally ill inmates. Lieutenant Reid did not speak with any inmates which could provide him with an intelligible interview. These inmates were all under the care of mental health professionals and under the influence of psychiatric medication.

While completing this investigation, Sergeant Ingreso made an effort to contact [redacted] who was housed in Module 171 D-Pod, cell #1 on October 11, 2014. [redacted] was a mentally ill inmate who had been listed as a transient.

I.A.B. NOTE: During video recorded **(Exhibit K, disc #2)** footage of the use of force, [redacted] can be seen looking through the window of his cell door. The location of this cell may have allowed [redacted] to witness the use of force.

On September 15, 2014, Sergeant Romeo Ingreso spoke with [redacted] who is [redacted] [redacted] told Sergeant Ingreso [redacted] is a schizophrenic and violent mentally ill person. She said [redacted] is a transient who frequently lives at sober living houses. She told Sergeant Ingreso any contact between law enforcement and her [redacted] may upset him and cause his mental illness to worsen and his symptoms to become violent. [redacted] decided against providing Sergeant Ingreso with any contact information for her [redacted] and explained she was only concerned for his well-being. Sergeant Ingreso was unable to speak to [redacted]

INTERVIEW OF ALEXANDER YAW

Alexander Yaw was interviewed on October 14, 2013, at approximately 1335 hours, by Lieutenant Thomas Reid. Deputies Reinecker and Sabbagh were present during the interview. The interview took place inside room #331 of the Twin Towers Correctional Facility.

I.A.B. NOTE: A voice during the interview stated the interview took place on October 12, 2014, at 1335 hours. The interview took place on October 14, 2014, at 1335 hours according to Lieutenant Thomas Reid. Both the AM and PM in-service sheets from the Twin Towers Correctional Facility dated October 12, 2013, show Lieutenant Reid on a Regular Day Off. Both the AM and PM in-service sheets from the Twin Towers Correctional Facility, dated October 14, 2014, show Lieutenant Reid working as the Watch Commander on both shifts. The in-service sheets were submitted with this case book, **see Exhibit A**.

Lieutenant Reid spoke to Inmate Yaw about a use of force that was used against him on October 11, 2014. Inmate Yaw said he injured his leg and his left eye when he was thrown on to the floor by Custody Assistant Serrano. Inmate Yaw said he was attending a mental health program when he asked Custody Assistant [redacted] to escort to him to his cell. Inmate Yaw said he called Custody Assistant [redacted] a "bitch" as she was removing his handcuffs from a dayroom table. Custody Assistants [redacted] and Serrano then escorted him to his cell. Inmate Yaw said Custody Assistant Serrano was squeezing his arm and dragging him during the escort. Custody Assistant Serrano then forced him to the ground where Inmate Yaw struck his left eye and right knee against the concrete floor. Inmate Yaw claimed someone kicked his knee cap, but could not identify the person.

He told Lieutenant Reid the injuries to his forehead were "old" and were not as a result of the force used against him October 11, 2013. During the interview, Inmate Yaw pointed to his left eye and said he injured it when he was taken down and struck his face against the floor. Inmate Yaw claimed the injury to his forehead was "old" and was not as a result of the force used against on October 11, 2013. Inmate Yaw also claimed Custody Assistant [redacted] punched him on his left eye.

I.A.B NOTE: Inmate Yaw had a history of violence against staff and sustained several self-inflicted injuries to his head while in custody. On March 3, 2013, Inmate Yaw kicked the rear passenger window out of a patrol car, slammed his forehead into the metal prisoner cage and then slammed his forehead into the window frame of the passenger window. The use of force investigation from this incident (913-00029-5410-263) was submitted with this case book, **see Exhibit B.** A complete discipline history, including all prior discipline reports involving Inmate Yaw were also submitted with this casebook, see **Exhibit C**. One of the discipline reports (custody reference number #51002008061103) dated June 11, 2008, describes Inmate Yaw (booking number at time of incident #1483308) punching Deputy [redacted] # [redacted] in the face.

Inmate Yaw denied attempting to head butt or kick either Custody Assistant Serrano or [redacted] Inmate Yaw admitted resisting Custody Assistant Serrano and said he (Serrano) could not force him to the ground. Once on the ground, Inmate Yaw attempted to stand back up, but was "slammed" to the floor again by Custody Assistant Serrano. Inmate Yaw heard his knee cap break when he struck the floor a second time. Inmate Yaw claimed he was choked and could not breathe but did not lose consciousness. He was unable to identify who choked him.

Inmate Yaw said he was transported to the Los Angeles County Medical Center where he underwent a radiograph (X-Ray) of his right knee. The radiograph reveled his right knee cap was fractured. Inmate Yaw admitted to being a mental patient and claimed he was incarcerated in both state prisons and state mental health institutions in the past. He also admitted to "gassing" state prison guards while incarcerated in prison. Inmate Yaw claimed he threw both "piss and shit" at the guards. Inmate Yaw told Lieutenant Reid he sometimes refused to take his psychiatric medication and claimed both the deputies and doctors at the Twin Towers Correctional Facility were corrupt. He also admitted to assaulting deputies from the Men's Central Jail Operations Safe Jail unit in 2008. He also described how many inmates falsely claim they have psychological problems, knowing they will be housed on the 7th floor. During the interview, Inmate Yaw referred to Custody Assistant [redacted] as a "bitch" several times, described Deputy Haley (who is currently assigned to the Operation Safe Jail unit at Men's Central Jail) as a "punk ass white-boy" and claimed Senior Gilbert was a "corrupt mother fucker."

The interview was conducted by Lieutenant Reid video recorded on DVD and submitted with this case book, **see Exhibit D**.

I.A.B. NOTE: A copy of each Inmate Injury Report was submitted with this case book, **see Exhibit E**.

A list of Inmate Yaw's prior injuries was also submitted with this case book, **see Exhibit F.** Under booking number #3606261, Inmate Yaw sustained the following injuries:

August 16, 2013, swallowed a razor blade,
August 23, 2013, self-inflicted lacerations to his forehead,
August 29, 2013, self-inflicted lacerations to his forehead,
February 2, 2013, self-inflicted injuries to the head,
September 25, 2013, self-inflicted lacerations to his forehead.

EMPLOYEE STATEMENTS:

INTERVIEW OF SERGEANT MICHAEL RUBACHA

Witness Rubacha was interviewed by Sergeant Romeo Ingreso of the Internal Affairs Bureau on August 20, 2014, at approximately 1100 hours. The interview was conducted inside the Watch Sergeant's office located inside the Twin Towers Correctional Facility. Witness Rubacha voluntarily participated in the interview and chose to do so without any legal representation.

The interview was digitally recorded and transcribed. For the verbatim interview see the transcribed interview which is included with this case. The following is a summary of his interview.

Sergeant Rubacha said he was absorbed into the Los Angeles County Sheriff Department from the Los Angeles County Safety Police, Office of Public Safety in 2010. He lateraled at the rank of Sergeant but held the ranks of Captain, Lieutenant, Sergeant and Officer at his prior agency.

On October 11, 2013, Witness Rubacha was assigned to the Twin Towers Correctional Facility and was working as the Floor Sergeant on the 5th, 6th and 7th floors of Tower One. Witness Rubacha said he was assigned to all three floors due to a staffing shortage. At 0930 hours, Witness Rubacha heard a broadcast of a deputy involved fight inside Module 171. He arrived and saw Inmate Yaw handcuffed, lying on the floor. While Witness Rubacha was present he did not witness any force used nor did he direct any staff to use force.

Witness Rubacha recalled injuries to one of Inmate Yaw's eye and his head. Inmate Yaw did not complain of any pain or injuries to Witness Rubacha at the scene. Witness Rubacha believed Inmate Yaw had prior injuries to his forehead which were not sustained

during the use of force on October 11, 2013. Witness Rubacha reviewed several inmate injury reports which documented the prior injuries to Inmate Yaw's forehead.

I.A.B. NOTE: Copies of the inmate injury reports were submitted with this case book, **see Exhibit E**.

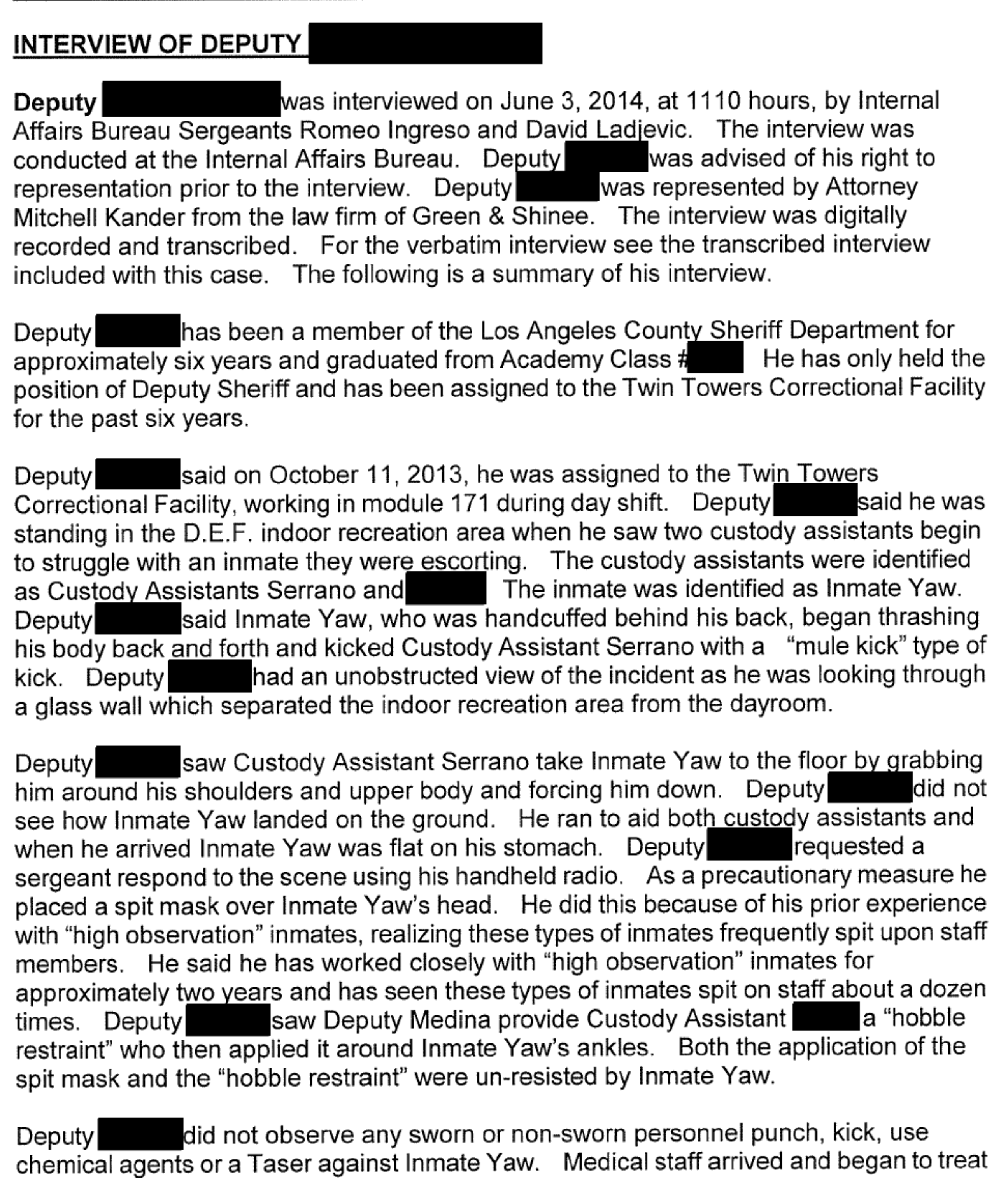
Witness Rubacha described Inmate Yaw as a "high observation" inmate and considered a high risk inmate. Inmate Rubacha said Inmate Yaw was considered a high risk inmate to both other inmates and staff. Witness Rubacha said both Custody Assistants [redacted] and Serrano both reported using force against Inmate Yaw. He also said Deputy [redacted] may have also reported using force against Inmate Yaw to him. Witness Rubacha said he reviewed and approved reports submitted to him by Deputy [redacted] and Custody Assistants [redacted] and Serrano. Witness Rubacha reviewed video recorded footage of the use of force, captured by surveillance cameras inside the Twin Towers Correctional Facility. Witness Rubacha described the use of force captured on the surveillance cameras and stated he did not observe either Custody Assistant [redacted] or Serrano punch or kick Inmate Yaw. Witness Rubacha said there was a moment during the video recording where it appeared Custody Assistant Serrano may have punched Inmate Yaw. He said, after reviewing the video several times, Witness Rubacha determined Custody Serrano did not punch Inmate Yaw, but may have very quickly and involuntarily moved his arm. Witness Rubacha said he did not witness any events leading up to or during the use of force that caused him concern as a supervisor. He said he did not witness any actions on Inmate Yaw's part prior to the use of force that should have caused either Custody Serrano or [redacted] to call for the presence of a supervisor.

Witness Rubacha explained in greater detail how Custody Assistants Serrano and [redacted] removed Inmate Yaw from the table in the dayroom. Witness Rubacha said Custody Assistant Serrano explained to him, he had Inmate Yaw place his head down near the surface of the table. Custody Assistant Serrano did this to prevent being spat upon by Inmate Yaw. Witness Rubacha said Inmate Yaw had a history of spitting upon and "gassing" deputies. Witness Rubacha said it appeared Inmate Yaw did not resist when his head was placed near the surface of the table.

Witness Rubacha stated the Internal Affairs Bureau responded to the Twin Towers Correctional Facility and assumed control of the use of force investigation after it was learned Inmate Yaw sustained a fractured right knee during the incident. Witness Rubacha stated on October 11, 2013, there was no indication Inmate Yaw sustained a fractured knee cap.

I.A.B. NOTE: On October 11, 2013, at 0959 hours, Witness Rubacha spoke to Inmate Yaw in the Tower 1 clinic. The conversation was video recorded. During the conversation Inmate Yaw only complained of pain to his eye and lip. He claimed his lip was injured when Custody Assistant [redacted] punched him. He also told Witness Rubacha the injuries to his forehead were "old." Inmate Yaw did not complain of pain to his right knee. Witness Rubacha began describing the

injuries to Inmate Yaw and noted a scuff mark to his (Inmate Yaw) right knee. A compact disc containing the video recorded conversation was submitted with this case book, **see Exhibit G**.



INVOLVED EMPLOYEE STATEMENTS:

INTERVIEW OF DEPUTY [redacted]

Deputy [redacted] was interviewed on June 3, 2014, at 1110 hours, by Internal Affairs Bureau Sergeants Romeo Ingreso and David Ladjevic. The interview was conducted at the Internal Affairs Bureau. Deputy [redacted] was advised of his right to representation prior to the interview. Deputy [redacted] was represented by Attorney Mitchell Kander from the law firm of Green & Shinee. The interview was digitally recorded and transcribed. For the verbatim interview see the transcribed interview included with this case. The following is a summary of his interview.

Deputy [redacted] has been a member of the Los Angeles County Sheriff Department for approximately six years and graduated from Academy Class #[redacted] He has only held the position of Deputy Sheriff and has been assigned to the Twin Towers Correctional Facility for the past six years.

Deputy [redacted] said on October 11, 2013, he was assigned to the Twin Towers Correctional Facility, working in module 171 during day shift. Deputy [redacted] said he was standing in the D.E.F. indoor recreation area when he saw two custody assistants begin to struggle with an inmate they were escorting. The custody assistants were identified as Custody Assistants Serrano and [redacted] The inmate was identified as Inmate Yaw. Deputy [redacted] said Inmate Yaw, who was handcuffed behind his back, began thrashing his body back and forth and kicked Custody Assistant Serrano with a "mule kick" type of kick. Deputy [redacted] had an unobstructed view of the incident as he was looking through a glass wall which separated the indoor recreation area from the dayroom.

Deputy [redacted] saw Custody Assistant Serrano take Inmate Yaw to the floor by grabbing him around his shoulders and upper body and forcing him down. Deputy [redacted] did not see how Inmate Yaw landed on the ground. He ran to aid both custody assistants and when he arrived Inmate Yaw was flat on his stomach. Deputy [redacted] requested a sergeant respond to the scene using his handheld radio. As a precautionary measure he placed a spit mask over Inmate Yaw's head. He did this because of his prior experience with "high observation" inmates, realizing these types of inmates frequently spit upon staff members. He said he has worked closely with "high observation" inmates for approximately two years and has seen these types of inmates spit on staff about a dozen times. Deputy [redacted] saw Deputy Medina provide Custody Assistant [redacted] a "hobble restraint" who then applied it around Inmate Yaw's ankles. Both the application of the spit mask and the "hobble restraint" were un-resisted by Inmate Yaw.

Deputy [redacted] did not observe any sworn or non-sworn personnel punch, kick, use chemical agents or a Taser against Inmate Yaw. Medical staff arrived and began to treat

Inmate Yaw for his injuries. Deputy [redacted] and Custody Assistant Serrano lifted Inmate Yaw onto a gurney so he could be transported to the Tower 1 clinic for additional treatment. They did this because Inmate Yaw's ankles were still secured in a "hobble restraint." Deputy [redacted] said Inmate Yaw did not complain of any pain or injuries at the time but did have a pre-existing injury to his forehead. Deputy [redacted] said this injury was attributed to Inmate Yaw banging his head against his cell door. Deputy [redacted] has personally seen Inmate Yaw injure himself by striking his head against the door.

Deputy [redacted] did not witness any of the activity between Custody Assistants Serrano and [redacted] and Inmate Yaw, prior to the use of force. Deputy [redacted] reported his actions and observations to Sergeant Rubacha. He also documented the incident on an incident report under file #913-03453-5800-145. The report authored by Deputy [redacted] was submitted with this case book, **see Exhibit H**.

INTERVIEW OF CUSTODY ASSISTANT [redacted]

Custody Assistant [redacted] was interviewed on June 30, 2014, at 1050 hours, by Internal Affairs Bureau Sergeants Romeo Ingreso and Pat Morris. The interview was conducted at the Internal Affairs Bureau. Custody Assistant [redacted] was advised of his right to representation prior to the interview. Custody Assistant [redacted] was represented by labor Representative Venise Wallace from the Professional Peace Officer Association. The interview was digitally recorded and transcribed. For the verbatim interview see the transcribed interview included with this case. The following is a summary of her interview.

Custody Assistant [redacted] believes she was a graduate of Custody Assistant Academy class #[redacted] and has been assigned to Twin Towers Correctional Facility since her graduation. On October 11, 2013, Custody Assistant [redacted] was assigned to Module 171 during dayshift. Custody Assistant [redacted] said Module 171 housed inmates who were mentally ill. During her shift, she was in C-Pod when Inmate Yaw asked her if he could return to his cell. Custody Assistant [redacted] asked Custody Assistant Serrano to assist her in returning the inmate to his cell. She warned Custody Assistant Serrano that Inmate Yaw had a reputation for spitting at staff. Custody Assistant [redacted] said Inmate Yaw was an inmate who suffered from mental illness and who was subject to care and activities provided by mental health care professionals. Some of these activities required Inmate Yaw to be placed and secured at tables in the dayroom. A sergeant or supervisor approval was not needed before removing or returning Inmate Yaw to his cell.

Custody Assistant [redacted] said Inmate Yaw had a reputation for spitting at staff and banging his head against his cell. Inmate Yaw had not been involved in any recent incidents in the days prior, but she was aware of his prior behavior. Custody Assistant [redacted] warned Custody Assistant Serrano about Inmate Yaw's prior behavior as a precaution. On October 11, 2013, Inmate Yaw did not display any violent or disruptive behavior prior to asking to be returned to his cell.

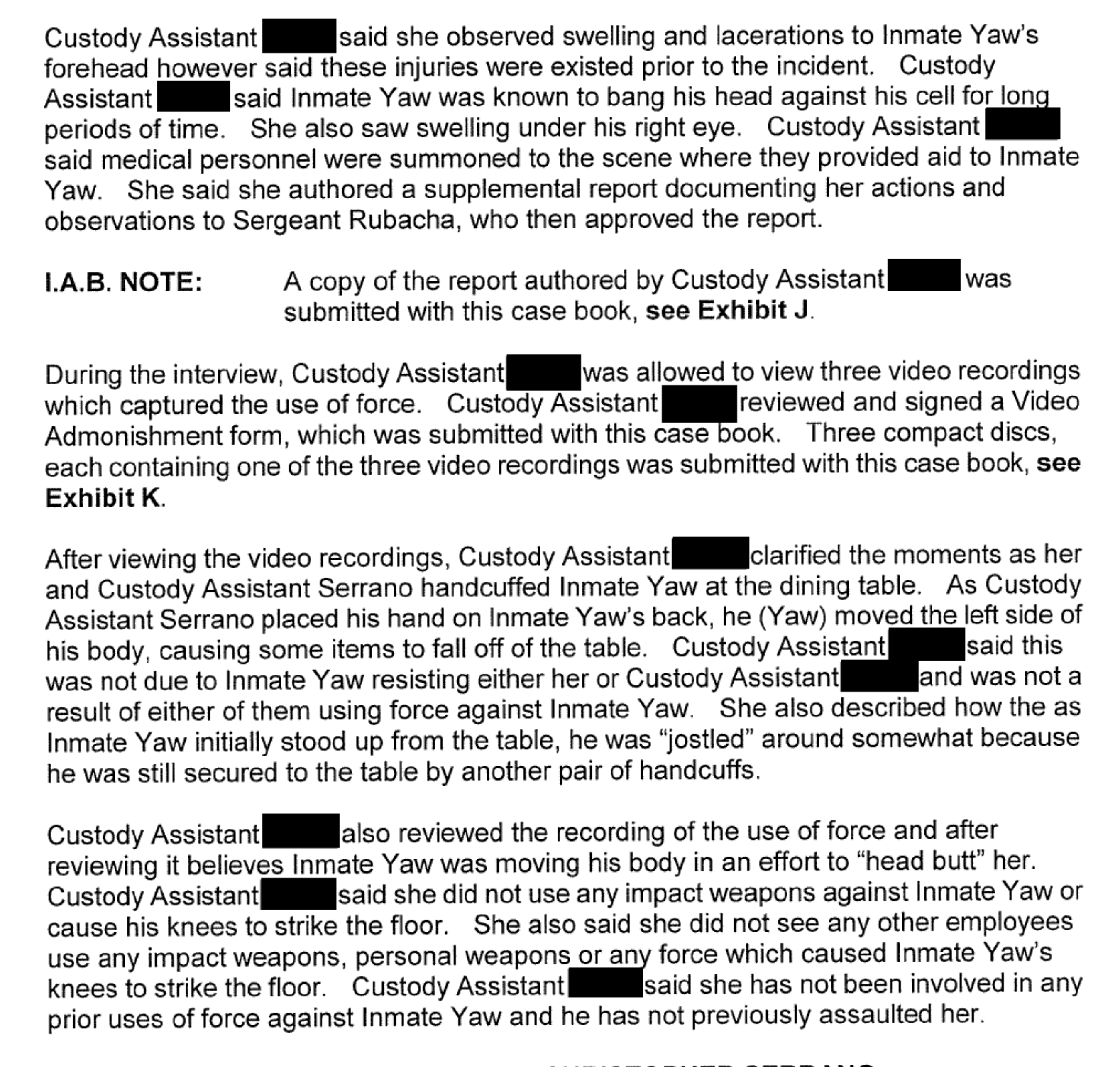
Custody Assistant [redacted] and Custody Assistant Serrano approached Inmate Yaw, who was seated at and handcuffed to a four person dining table in the dayroom. As a precaution, Custody Assistant Serrano placed his hand on Inmate Yaw's back and placed his head near the surface of the table top. Custody Assistant [redacted] said this did not anger Inmate Yaw and he was cooperative during these moments. Custody Assistant [redacted] handcuffed Inmate Yaw's hands behind his back while he was seated. Inmate Yaw did not resist being handcuffed behind his back and was not recalcitrant in any way. Custody Assistant [redacted] said Inmate Yaw did not display any behavior that warranted the presence of a supervisor.

Custody Assistant [redacted] and Custody Assistant Serrano escorted Inmate Yaw out of the day room, through a lower inter-connecting door and into D-Pod. Custody Assistant [redacted] said Inmate Yaw cooperated with the escort and did not resist or act belligerent in any way. Both custody assistants were maintaining a grip on Inmate Yaw's arms during the escort. They did this to maintain control of him and to ensure the safety of civilian personnel near the area. Once inside the D-Pod dayroom, Inmate Yaw suddenly became agitated broke free from the grasp of Custody Assistant [redacted] This caused Custody Assistant [redacted] radio to be dislodged from the clip on her belt and it fell to the floor. Inmate Yaw kicked Custody Assistant Serrano and thrashed his body back and forth. Custody Assistant [redacted] described the kick delivered by Inmate Yaw against Custody Assistant Serrano as a "mule" type kick. Custody Assistant Serrano performed a take-down of Inmate Yaw as Deputy [redacted] arrived on scene. Once on the ground, Custody Assistant [redacted] did not see how Inmate Yaw landed against the floor or what portion of his body struck the floor first. Inmate Yaw stopped resisting and Custody Assistant [redacted] took control of his legs by applying her body weight against them. Fearing Inmate Yaw may kick her or other staff on scene Custody Assistant [redacted] obtained a "hobble" restraint from Deputy Medina and placed it around Inmate Yaw's ankles. Custody Assistant [redacted] said she made the decision to apply the "hobble" restraint because of the kick she witnessed Inmate Yaw deliver against Custody Assistant Serrano.

I.A.B. NOTE: Deputy Medina authored a supplemental report documenting her actions at the scene and it indicates she provided Custody Assistant [redacted] with a "hobble" restraint. Deputy Medina's supplemental report was submitted with this case book, **see EXHIBIT I**.

Once on the ground Inmate Yaw was compliant. Custody Assistant [redacted] did not witness any employees deliver any strikes, kicks or use any other force against Inmate Yaw. Custody Assistant [redacted] said while Inmate Yaw was on the ground, an unknown employee placed a "spit mask" over his (Yaw) head.

I.A.B. NOTE: Deputy [redacted] stated during his transcribed interview he placed a "spit-mask" over Inmate Yaw's head.



Custody Assistant [redacted] said she observed swelling and lacerations to Inmate Yaw's forehead however said these injuries were existed prior to the incident. Custody Assistant [redacted] said Inmate Yaw was known to bang his head against his cell for long periods of time. She also saw swelling under his right eye. Custody Assistant [redacted] said medical personnel were summoned to the scene where they provided aid to Inmate Yaw. She said she authored a supplemental report documenting her actions and observations to Sergeant Rubacha, who then approved the report.

I.A.B. NOTE: A copy of the report authored by Custody Assistant [redacted] was submitted with this case book, **see Exhibit J**.

During the interview, Custody Assistant [redacted] was allowed to view three video recordings which captured the use of force. Custody Assistant [redacted] reviewed and signed a Video Admonishment form, which was submitted with this case book. Three compact discs, each containing one of the three video recordings was submitted with this case book, **see Exhibit K**.

After viewing the video recordings, Custody Assistant [redacted] clarified the moments as her and Custody Assistant Serrano handcuffed Inmate Yaw at the dining table. As Custody Assistant Serrano placed his hand on Inmate Yaw's back, he (Yaw) moved the left side of his body, causing some items to fall off of the table. Custody Assistant [redacted] said this was not due to Inmate Yaw resisting either her or Custody Assistant [redacted] and was not a result of either of them using force against Inmate Yaw. She also described how the as Inmate Yaw initially stood up from the table, he was "jostled" around somewhat because he was still secured to the table by another pair of handcuffs.

Custody Assistant [redacted] also reviewed the recording of the use of force and after reviewing it believes Inmate Yaw was moving his body in an effort to "head butt" her. Custody Assistant [redacted] said she did not use any impact weapons against Inmate Yaw or cause his knees to strike the floor. She also said she did not see any other employees use any impact weapons, personal weapons or any force which caused Inmate Yaw's knees to strike the floor. Custody Assistant [redacted] said she has not been involved in any prior uses of force against Inmate Yaw and he has not previously assaulted her.

INTERVIEW OF CUSTODY ASSISTANT CHRISTOPHER SERRANO

Custody Assistant Christopher Serrano was interviewed on June 30, 2014, at 1210 hours, by Internal Affairs Bureau Sergeants Romeo Ingreso and Pat Morris. The interview was conducted at the Internal Affairs Bureau. Custody Assistant Serrano was advised of his right to representation prior to the interview. Custody Assistant Serrano was represented by Labor Representative Venise Wallace from the Professional Peace Officer Association. The interview was digitally recorded and transcribed. For the verbatim interview see the transcribed interview included with this case. The following is a summary of his interview.

Custody Assistant Serrano graduated from Custody Assistant Academy class #[redacted] He has been assigned to the Twin Towers Correctional Facility since his graduation. On October 11, 2013, he was assigned to the Tower I Clean Up crew. At approximately 0930 hours, Custody Assistant Serrano was inside Module 171 performing the duties of the clean-up crew. These duties included cleaning modules and cells which housed mentally ill inmates. During this time, Inmate Yaw asked Custody Assistant [redacted] to return him to his cell. Custody Assistant [redacted] asked Custody Assistant Serrano to help her escort the inmate to his cell. As Custody Assistant Serrano approached the inmate, Custody Assistant [redacted] warned him Inmate Yaw had a history of spitting at/on staff. Custody Assistant Serrano said Inmate Yaw was calm and not recalcitrant in the moments before asking to be returned to his cell. He said Inmate Yaw did not display any behavior indicating he was going to be violent or assault him.

Custody Assistant Serrano approached Inmate Yaw, who was seated and had one arm handcuffed to a dining table in the dayroom. As a precaution, Custody Assistant Serrano, told Inmate Yaw to place his face near the surface of the table. Inmate Yaw complied with the instructions and Custody Assistant Serrano used a hand to guide his face to the surface of the table. Custody Assistant Serrano said Inmate Yaw was cooperative, was not shouting or belligerent and again gave no indications he was going to attack him. Custody Assistant [redacted] handcuffed Inmate Yaw behind his back and he was escorted to the lower connector door into the D-Pod dayroom. During this escort, Custody Assistant Serrano maintained a grip on Inmate Yaw's right bicep. After passing through the lower connector door, Inmate Yaw suddenly broke free from Custody Assistant Serrano's grasp and tried to head butt Custody Assistant [redacted] Custody Assistant Serrano said Inmate Yaw then kicked his right leg, using a "mule" type kick. Custody Assistant Serrano immediately told Custody Assistant [redacted] to use her radio and broadcast they were involved in a fight with an inmate. Custody Assistant Serrano took Inmate Yaw to the ground by forcing him over his own hips while holding onto his upper body. Once on the ground, Custody Assistant Serrano maintained hold of Inmate Yaw's upper body, preventing him (Yaw) from standing back up. Custody Assistant Serrano said Inmate Yaw landed on his chest, upper body and knees when taken to the ground. Custody Assistant Serrano said it was not his intention to force Inmate Yaw's head or face against the floor, but described the use of his take down as an attempt to stop Inmate Yaw from assaulting both he and Custody Assistant [redacted] Custody Assistant Serrano was ordering Inmate Yaw to stop fighting as he maintained control of him on the ground. Custody Assistant Serrano maintained control of Inmate Yaw as Deputy [redacted] arrived and began broadcasting personnel were involved in a fight. Custody Assistant Serrano continued to maintain control of Inmate Yaw by using his body weight and maintaining a grip of Inmate Yaw's upper body.

Custody Assistant Serrano said he did not use any personal weapons or impact weapons against Inmate Yaw during this incident. He did not witness any other employees use personal or impact weapons against Inmate Yaw. Custody Assistant Serrano said he remembers a "hobble" restraint was used to restrain Inmate Yaw's ankles and "spit mask" was applied over his head. Custody Assistant Serrano could not remember who applied these items to Inmate Yaw. Custody Assistant Serrano said he observed laceration to

Inmate Yaw's face after the incident. Earlier that morning, Custody Assistant Serrano observed a "gash" to Inmate Yaw's head. He said this injury was not attributed to the use of force, but was sustained another time. Custody Assistant Serrano said he did not himself, nor did he witness any employees force Inmate Yaw's knees against the ground or deliver any impact weapon strikes against his knees.

During the interview, Custody Assistant Serrano was allowed to view three video recordings which captured the use of force. Custody Assistant Serrano reviewed and signed a Video Admonishment form, which was submitted with this case book. Three compact discs, each containing one of the three video recordings was submitted with this case book, **see Exhibit J**.

After viewing the video recordings, Custody Assistant Serrano described how Inmate Serrano moved his body while seated at the dining room table. This was not caused by force used by Custody Serrano but by movements made by Inmate Yaw. These movements caused several items to fall from the table onto the floor. Custody Assistant Serrano also described how he directed Custody Assistant [redacted] to momentarily disengage from the altercation and use her radio to broadcast they were fighting against an inmate. Finally, Custody Assistant Serrano described a moment during the video where it appears he may have delivered a punch against Inmate Yaw. Custody Assistant Serrano said he was "re-gripping" Inmate Yaw to prevent him from standing up. He said he did not punch Inmate Yaw.

Custody Assistant Serrano said he had no prior uses of force against Inmate Yaw or any contacts which were confrontational. Custody Assistant verbally reported his actions and observations to Sergeant Rubacha immediately after the incident. He also documented his actions and observations by authoring two supplemental reports. His reports were submitted with this case book, **see Exhibit L**.

SUSPECT INJURIES:

Inmate Yaw sustained swelling and a contusion above his left eye. He also sustained a fractured right knee. An Inmate Injury Report documenting Inmate Yaw's injuries was authored by Deputy Rowell #[redacted] on October 11, 2013. The Inmate Injury Report was submitted with this case book, **see Exhibit M**.

DEPUTY PERSONNEL INJURIES:

No deputies were injured during this use of force.

PHYSICAL EVIDENCE:

On October 14, 2013, Sergeant Romeo Ingreso and Lieutenant Weber responded to the Twin Towers Correctional Facility and assumed control of the use of force investigation. Sergeant Ingreso collected three separate compact discs from Lieutenant Reid. Each

compact disc contained video footage captured by surveillance cameras in Module 171. The three compact discs were submitted with this case book, **see Exhibit K**.

INVESTIGATORS OBSERVATIONS:

On October 14,2 013, Sergeant Romeo Ingreso and Lieutenant Weber responded to the Twin Towers Correctional Facility and assumed control of the use of force investigation. Sergeant Ingreso photographed the day room of Module 171 C-Pod and the lower inter-connecting door leading into the dayroom of 171 D-Pod. He also photographed the surveillance cameras inside Module 171.

Sergeant Ingreso took several photographs of Inmate Yaw. These photographs depicted the injury to his left eye, the cast set upon his right leg and the pre-existing injuries to his forehead. No other visible injuries were located and photographed. All of the photographs took by Sergeant Ingreso were submitted with this case book, **see Exhibit N**. Sergeant Ingreso also obtained an Inmate Information Sheet print out listing Inmate Yaw as a "Highly Dangerous" inmate with a history of violence against deputies. This print out sheet was submitted with this case book, **see Exhibit O**.

WEAPONS USED BY DEPUTY PERSONNEL:

Deputy [redacted]	Control Holds and use of body weight
Custody Assistant [redacted]	Control Holds and un-resisted application of hobble restraint
Custody Assistant Serrano:	Control Holds and Takedown

WEAPONS USED BY SUSPECT:

Personal weapons: Kick with a shod foot to Custody Assistant Serrano's legs and attempted head butt of Custody Assistant [redacted]

PROPERTY DAMAGE:

Property damage did not occur during this incident.

PETITONS FILED AND DISPOSITIONS:

On October 11, 2013, Suspect Yaw was listed as a suspect in an incident report for the following crimes:

- Battery on a Peace Officer, 243(b) P.C., a misdemeanor

On January 28, 2014, Los Angeles City Attorney Chang declined to file charges against Inmate Yaw based upon the following:

Time Served and the interest of justice.

The Los Angeles City Attorney declination sheet and a supplemental report authored by Detective Sampedro was included with this case book, **see Exhibit P**.

WEATHER AND LIGHTING CONDITIONS:

The use of force occurred inside a jail environment consisting of controlled dry conditions. The interior of the modules were illuminated by artificial light provided by several fluorescent light fixtures mounted to the ceiling. The floor where the incident occurred was constructed of concrete and was dry at the time of the incident.

REVIEW OF VIDEO TIMELINE

VIDEO NUMBER 1 OF 3

The total length of the footage is 05:04 seconds in length. The frame rate during the video is 10 frames per second. The following is a list of notable events contained in the video:

00:25 – Custody Assistant Serrano places Inmate Yaw's head against the surface of the table.

00:40 – Both custody assistants begin escorting Inmate Yaw away from the dining table and discover he is still secured to the table.

00:47 – Both custody assistants escort Inmate Yaw through the dayroom and out of view of the surveillance camera.

00:47 – 5:04 - No notable events captured, only the activities of inmate the dayroom of 171 C-Pod.

VIDEO NUMBER 2 OF 3

The total length of the footage is 04:56 seconds in length. The frame rate during the video is 10 frames per second. The following is a list of notable events contained in the video:

00:48 - Custody Assistants [redacted] and Serrano escort Inmate Yaw through the lower connector door into the dayroom of 171 D-Pod.

00:50 – Inmate Yaw begins his assault and thrusts his head and shoulders toward Custody Assistant [redacted]

00:55 – Custody Assistant [redacted] disengages the incident and loses control of her radio.

00:57 – Custody Assistants [redacted] and Serrano and Inmate Yaw leave the view of the surveillance camera.

01:36 – Assisting personnel arrive at the dayroom.

01:36 – 04:56 - No notable events captured by the 171 D-Pod surveillance camera.

VIDEO NUMBER 3 OF 3

The total length of the footage is 05:03 seconds in length. The frame rate during the video is 10 frames per second. The following is a list of notable events contained in the video:

00:53 – Custody Assistants [redacted] and Serrano and Inmate Yaw enter the Module 171 D-Pod dayroom through the lower connector door. Inmate Yaw immediately begins his assault against the custody assistants.

00:54 – Inmate Yaw attempts to kick the custody assistants.

00:59 – Custody Assistant Serrano takes Inmate Yaw to the floor.

01:01 - Deputy [redacted] arrives at the incident and helps restrain Inmate Yaw.

01:31 – Assisting personnel arrive at the scene.

04:15 – Sergeant Rubacha arrives at the scene.

MISCELLANEOUS:

The following items were included with this case book:

Inmate Assault Load Sheet,
Internal Affairs Bureau Mandatory Notification Form,
Chief's Memorandum authored by Captain Clay Porlier, dated October 11, 2013,
Twin Towers Correctional Facility Daily Recap dated October 11, 2013,
Uniform Daily Activity Log for Housing Location TTCF T171,
Chief's Memorandum authored by Captain Alicia Ault, dated October 15, 2013
Criminal History of Inmate Yaw,
Admonishment Forms.